

UNITED STATES DISTRICT COURT

for

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Eastern District of Washington

Dec 03, 2020

SEAN F. McAVOY, CLERK

U.S.A. vs.

Ortiz-Gonzales, Jesus Antonio

Docket No.

0980 2:20CR00028-RMP-1

0980 2:17CR00165-RMP-1

Petition for Action on Conditions of Pretrial Release

COMES NOW Chris Heinen, PRETRIAL SERVICES OFFICER, presenting an official report upon the conduct of defendant Jesus Antonio Ortiz-Gonzales, who was placed under pretrial release supervision by the Honorable U.S. Magistrate Judge John T. Rodgers, sitting in the Court at Spokane, Washington, on the 13th day of April 2020, under the following conditions:

Additional Condition #28: Defendant shall be restricted to his residence every day from 7 p.m. to 7 a.m.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

Violation #1: Jesus Antonio Ortiz-Gonzales is alleged to have violated condition number 28 of his pretrial supervision by returning to his current residence, operated by Pura Vida Recovery in Spokane, on November 30, 2020, at 7:48 p.m., in violation of his court ordered curfew.

On April 14, 2020, the conditions of pretrial release supervision were reviewed with Mr. Ortiz-Gonzales. He acknowledged an understanding of his conditions, which included additional condition number 28. In addition, and as the Court may recall, on November 18, 2020, The Honorable John T. Rodgers, U.S. Magistrate Judge, modified the defendant's conditions based on a petition submitted by defense counsel which sought to afford the client an exception to his Court ordered curfew by allowing the client an extension until 9:30 p.m. on workdays only at the need and request of his current employer in Spokane. This order was reviewed with the client on the day in question, with the undersigned officer specifically noting that the extension was granted for work days only.

On December 1, 2020, during a review of the client's location monitoring activity as previously occurring on November 30, 2020, it was observed that the client had not arrived home until 7:48 p.m. on the day in question. Further review of the client's activity verified that the client was in fact present at the Pura Vida Recovery meeting center located on West Broadway, where sobriety and house meetings, as well as other events, are often held by the provider during the time in question.

On December 1, 2020, the undersigned officer contacted Mr. Ortiz-Gonzales in response to the identified concern. Mr. Ortiz-Gonzales expressed confusion, indicating that he understood he was authorized to be out and in the community until 9:30 p.m. The Court order was again reviewed with Mr. Ortiz-Gonzales, again emphasizing that the exception was granted only for verifiable employment. Mr. Ortiz-Gonzales apologized for the conduct and indicated he had traveled to his house meeting on the day in question, which was located at their main facility, and then traveled straight back to his personal residence following the session.

Mr. Ortiz-Gonzales was reminded that his need to abide by his ordered curfew was his responsibility and he stated his understanding. Mr. Ortiz-Gonzales was advised that further misconduct could be reported to the Court for action, as this is now his third reported violation during the current ordered term of location monitoring, and he stated his understanding.

Re: Ortiz-Gonzales, Jesus Antonio

December 3, 2020

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PRAYING THAT THE COURT WILL ORDER NO ACTION AT THIS TIME

I declare under the penalty of perjury
that the foregoing is true and correct.

Executed on: December 3, 2020

by s/Chris Heinen

Chris Heinen
U.S. Pretrial Services Officer

THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- Defendant to appear before the Judge assigned to the case.
- Defendant to appear before the Magistrate Judge.
- Other



Signature of Judicial Officer

December 3, 2020

Date